

ENTERED

December 06, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISIONMATTHEW ROPPOLO, *et al.*,

Plaintiffs,

VS.

LANNETTE LINTHICUM, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:19-CV-00262

ORDER ON TURNINE MOTIONS

Before the Court is Henry Hernandez Turnine's Motion for Contempt (D.E. 684), filed October 3, 2022. In the motion, Turnine generally complains of TDCJ charges for health care and details the risks of COVID. The motion does not address any issue involved in the settlement of this case and the health care required as a result. The motion is **DENIED** as addressing a matter outside the issues of this action and as improperly filed in this action.

Turnine also filed a document entitled "[Order]" (D.E. 692) on October 11, 2022, which is construed as a motion because it repeats the complaint in his motion for contempt and specifically seeks a refund of \$100 of medical charges. For the same reasons set out above, the motion (D.E. 692) is **DENIED**.

Turnine filed another motion for contempt (D.E. 695) on October 13, 2022, regarding the same subject matter. It is likewise **DENIED**.

On October 17, 2022, Turnine filed a document entitled "(ORDER) Deflout [sic] of judgement [sic], Motion of Joiner [sic]" (D.E. 700). In this document, he challenges his conviction on the basis of a violation of his right to counsel. He also complains of a violation of his *Miranda* rights. Last, he repeats his complaints about the COVID pandemic, medical charges, and recites that the conditions of his confinement violate his

constitutional rights. Once again, these complaints are outside the scope of this action and are improperly filed here. The motion (D.E. 700) is **DENIED**.

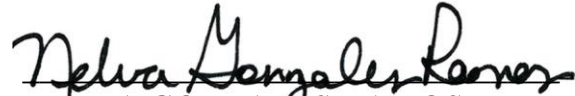
On October 25, 2022, Turnine filed his Motion for Joinder (D.E. 728), asking that United States District Judge Micaela Alvarez assist this Court with its workload and complains of the COVID pandemic and prison procedures for handling related sick call requests and the distribution of medications. He then transitions to the subject of this action: Hepatitis C (HCV) treatment. He claims that he has contracted the illness and seeks damages. He further seeks reimbursement of healthcare charges he has incurred, without specifying the nature of the healthcare visits. The motion is **TAKEN UNDER ADVISEMENT IN PART** and Plaintiffs' counsel, the Edwards Law Firm is **ORDERED** to investigate and determine whether prison inmates who are entitled to HCV treatment under the settlement in this action are being charged for HCV testing and/or treatment and to report to the Court on or before **January 2, 2023**, whether such charges have been made and, if so, whether they are consistent with the terms of the settlement. In all other respects, the motion is **DENIED IN PART**.

On October 27, 2022, Turnine filed a document entitled "Default of Judgement [sic] Order" (D.E. 729). In this document, he repeats his complaints regarding a violation of his right to counsel in connection with his conviction. He further appears to complain about the calculation of the duration of his sentence. Then he complains again about the charges he has incurred for health care and seeks reimbursement. He suggests that prison staff members steal money from inmate trust accounts. And he makes a complaint for money damages for wrongful conviction in violation of his right to counsel. Because these complaints are outside the scope of this lawsuit and do not pertain to the HCV treatment afforded by the settlement of this case, the motion is **DENIED**.

On the same date, Turnine filed another document entitled "Default of Judgement [sic] Court Oder [sic]" (D.E. 730). He complains of cruel and unusual punishment and false imprisonment and discusses a number of prison policies, without clear factual allegations. None of the issues pertain to this action and the motion is **DENIED**.

The Court further **WARNS** class member Henry Hernandez Turnine that his continued filing of motions and other documents complaining of issues unrelated to the HCV treatment addressed in this action and the settlement approved by the Court have become vexatious litigation. If he continues to file such documents, he may be sanctioned.

ORDERED on December 6, 2022.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE